

02/24/00  
jc674 U.S. PTO

02-25-00

A

Attorney Docket No. UMD 1.0-042

RICHARD R. MUCCINO  
758 Springfield Avenue  
Summit, New Jersey 07901

(908) 273-4988  
TELECOPIER: (908) 273-4679

jc511 U.S. PTO  
02/24/00

**EXPRESS MAIL**

**PATENT**  
24 February 2000

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Re: NEW APPLICATION TRANSMITTAL

Dear Sir

Enclosed please find the patent application of:

Inventor(s): Kiron M. Das

For (Title): **IMMUNOASSAY METHOD FOR THE DIAGNOSIS OF  
GASTRIC INTESTINAL METAPLASIA ASSOCIATED WITH GASTRIC  
CARCINOMA**

02-25-00  
jc674 U.S. PTO

**CERTIFICATION UNDER 37 C.F.R. SECTION 1.10**

"Express Mail" mailing label number EK147049619US.

Date of Deposit 24 Feb 2000.

I hereby certify that this New Application Transmittal, and the documents referred to as enclosed, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 C.F.R. Section 1.10 on the date set out above and is addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Richard R. Muccino

(typed name of person mailing papers)

Richard R. Muccino  
(signature of person mailing papers)

This new application is for a(n)

Original.

Design.

Divisional.

Continuation.

Continuation-in-part (CIP).

the specification of which:

is attached hereto.

was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_. (if applicable)

was described and claimed in

International Appln. No. ,

filed on ,

and was amended on \_\_\_\_\_.

2. **BENEFIT OF PRIOR U.S. APPLICATION(S)**  
**(35 U.S.C. SECTION 120)**

The new application being transmitted is a

continuation

continuation-in-part

divisional

of copending United States application(s)

serial no. ----, filed -----.

and claims the benefit of the earlier filing date of the prior U.S. application(s) pursuant to 35 U.S.C. Section 120.

Please abandon the prior U.S. application(s) referred to above at a time while the prior application is pending or when the petition for extension of time in that application is granted and when this application is granted a filing date so as to make this application copending with the prior application.

Please do not abandon the prior U.S. application(s) referred to above at this time.

**3. ENCLOSED ARE THE FOLLOWING DOCUMENTS REQUIRED FOR FILING DATE UNDER 37 C.F.R. SECTION 1.53(b) (REGULAR) OR 37 C.F.R. SECTION 1.153 (DESIGN) APPLICATION**

23 Pages of Specification.  
 5 Page(s) of Claims.  
 1 Page(s) of Abstract.  
 0 Sheet(s) of Drawings, which are  
      \_\_\_\_\_ formal \_\_\_\_\_ informal.

**4. ADDITIONAL PAPERS ENCLOSED**

A preliminary amendment under 37 C.F.R. Section 1.111 is attached.

Please amend the specification by inserting before the first line the sentence:

This application is a  continuation  
                           continuation-in-part  
                           divisional  
of copending U.S. application serial no. .

Prior to calculating the filing fee, please amend the claims by deleting claims .

Information Disclosure Statement.  
 Form PTO-1449.  
 References.  
 Declaration of Biological Deposit.  
 Special Comments.  
 Assignment.  
 Small Entity Statement.  
 Express Mail Certification (part of this transmittal letter).  
 Two (2) stamped return-addressed postcards.  
 Check in the amount of \$ 426.00 calculated as set forth below.  
 Other.

**5. DECLARATION AND POWER OF ATTORNEY**

Enclosed.

Executed by

Inventor(s).

Legal Representatives of inventor(s). 37 C.F.R. 1.42 or 1.43.

Joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

this is the petition required by 37 C.F.R. Section 1.47 and the statement required by 37 C.F.R. Section 1.47 is also attached.

Unexecuted.

This application is made by a person authorized under 37 C.F.R. Section 1.41(c) on behalf of all of the above-named inventors. The declaration or oath and Power of Attorney, along with the surcharge required by 37 C.F.R. Section 1.16(e) can be filed subsequently.

Showing that the filing is authorized.

**6. INVENTORSHIP STATEMENT**

The inventorship for all the claims in this application are:

The same.

Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

is submitted.

will be submitted.

**7. Language**

English.

Non-English.

The attached translation is a verified translation.  
37 C.F.R. Section 1.52(d).

**8. ASSIGNMENT**

An assignment of the invention to:

University of Medicine & Dentistry of New Jersey, a corporation of the State of New Jersey having a place of business at 60 Bergen Street, Newark, New Jersey 07107-3000.

Is enclosed (stapled to a copy of this letter).

Will follow.

9. CERTIFIED COPY

Certified copy(ies) of application(s)

(country) (appln. no.) (filed)

(country) (appln. no.) (filed)

(country) (appln. no.) (filed)

from which priority is claimed under 35 U.S.C. 119

is(are) attached.  
 will follow.

10. FILING FEE CALCULATION

A.  REGULAR APPLICATION.

Claims as filed				
	Number Filed	Number Extra	Rate	Fee
Basic Fee				
				\$ 690.00
Total Claims	29	-20 = 9	x \$18.00 =	\$ 162.00
Independent Claims	3	- 3 = 0	x \$78.00 =	\$ 0
Multiple dependent claim(s), if any			\$260.00	\$ 0
				<b>TOTAL FEE \$ 852.00</b>

Amendment cancelling extra claims is enclosed.  
 Amendment deleting multiple dependencies is enclosed.  
 Fee for extra claims is not being paid at this time.

B.  Design Application.  
(\$140.00 - 37 C.F.R. Section 1.16(f)

**11. SMALL ENTITY STATEMENT(S)**

Verified Statement(s) that this is a filing by a small entity under 37 C.F.R. Sections 1.9 and 1.27 is(are) attached.

is(are) attached.  
 will follow.

Filing Fee Calculation  
(50% of A or B above). \$426.00

**12. FEE PAYMENT BEING MADE AT THIS TIME**

No filing fee is enclosed.

The filing fee is enclosed.

Basic filing fee. \$ 426.00

Recording Assignment.  
(\$40.00; 37 C.F.R. Section 1.21(h)(1)) \$ \_\_\_\_\_

Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused or cannot be reached. (\$140.00; 37 C.F.R. Sections 1.47 and 1.17(h)). \$ \_\_\_\_\_

For Processing an application with a specification in non-English language. ((26.00; 37 C.F.R. Sections 1.52(d) and 1.17(k)). \$ \_\_\_\_\_

Processing and retention fee.  
(\$100.00; 37 C.F.R. Sections 1.53(d) and 1.21(l)). \$ \_\_\_\_\_

**TOTAL FEES ENCLOSED \$ 426.00**

**13. METHOD OF PAYMENT OF FEES**

Check in the amount of \$ 426.00 is enclosed.

Charge Deposit Account 13-4822 in the amount of \$ \_\_\_\_\_.

**14. AUTHORIZATION TO CHARGE ADDITIONAL FEES**

The Commissioner is hereby authorized to charge all fees required during the entire pendency of this application except the issue fee to Deposit Account 13-4822.

## 15. INSTRUCTIONS REGARDING OVERPAYMENT

Credit any overpayment to Deposit Account 13-4822.

### Refund.

(A duplicate of this transmittal letter is attached.)

  
Richard R. Muccino

Please forward correspondence to:

Richard R. Muccino  
758 Springfield Avenue  
Summit, New Jersey 07901  
Telephone no. (908) 273-4988  
Fax (908) 273-4679  
Enclosures

Glossary 109

PATENT  
UMD 1-042

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application Of:  
Kiron M. Das

Group Art Unit: Unknown

Serial No.:

Examiner: Unknown

Filed:

For: **IMMUNOASSAY METHOD FOR THE DIAGNOSIS OF GASTRIC  
INTESTINAL METAPLASIA ASSOCIATED WITH GASTRIC CARCINOMA**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
PURSUANT TO 37 C.F.R. SECTIONS 1.9(e) AND 1.27 (b)  
NONPROFIT ORGANIZATION**

On behalf of the assignee of the entire interest in the above-identified patent application, I hereby declare that the University of Medicine & Dentistry of New Jersey qualifies as a nonprofit organization as defined in 37 C.F.R. Section 1.9(e) for purposes of paying reduced fees under 35 United States Code Sections 41(a) and (b) to the United States Patent and Trademark Office in connection with the invention entitled:

**IMMUNOASSAY METHOD FOR THE DIAGNOSIS OF GASTRIC  
INTESTINAL METAPLASIA ASSOCIATED WITH GASTRIC CARCINOMA**  
described in:

the specification filed herewith.

patent application serial number \_\_\_\_\_, filed on \_\_\_\_\_.

United States patent no. \_\_\_\_\_, issued on \_\_\_\_\_.

---

**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. SECTION 1.8**

I hereby certify that this correspondence is being deposited, pursuant to 37 C.F.R. Section 1.8, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on this 24th of Feb, 2000.

By



Richard R. Muccino

Reg. No. 32,538

date

24 Feb 2000

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an nonprofit organization under 37 C.F.R. Section 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. Section 1.9(d) or a nonprofit organization under 37 C.F.R. Section 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization.

persons, concerns or organizations listed below.

**FULL NAME**

## ADDRESS

1000

individual  small business  nonprofit organization

I acknowledge the duty pursuant to 37 C.F.R. Section 1.28(b) to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I am authorized to execute this document on behalf of the assignee, the University of Medicine & Dentistry of New Jersey. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 2/22/00

L.M. Stephenson  
L.M. Stephenson, Ph.D.  
Director, Patents & Licensing  
Department of Legal Management  
University of Medicine & Dentistry of New Jersey  
45 Knightsbridge Road  
CN 6810  
Piscataway, N.J. 08855-6810

Direct communications to:  
Richard R. Muccino  
758 Springfield Avenue  
Summit, New Jersey 07901  
(908) 273-4988